

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CREDIT SUISSE SECURITIES (USA) LLC,
Petitioner,

v.

DARYL ALLEN, DAVID BARNES,
CHRISTOPHER BLACK, MICHELE
CRITTENDEN, CHRIS FLANAGAN, MICHAEL
FLANAGAN, MICHAEL GREEN, FRANK
HOGAN, WILLIAM HUTHNANCE, MICHAEL
HOOD, DONALD KINSEY, TRAVIS MOSS,
MATTHEW PICKETT, JAMES TARDY, and
LANGSTON TURNER,

Respondents.

16 CV 3441
Case No. _____

ORDER TO SHOW CAUSE

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>5/10/16</u>

Upon the declaration of Stephen M. Kramarsky, dated May 9, 2016, and upon the accompanying Memorandum of Law in Support of Petitioner's Order to Show Cause For A Preliminary Injunction, together with all exhibits and attachments thereto, it is hereby:

ORDERED, that Respondents Chris Flanagan, Michael Flanagan, James Tardy, David Barnes, Michele Crittenden, Donald Kinsey, Travis Moss, Matthew Pickett, Frank Hogan, Michael Green, Michael Hood, Daryl Allen, Langston Turner, William Huthnance and Christopher Black show cause before this Court, in Courtroom 705 of the United States Courthouse, 500 Pearl Street, in the City, County and State of New York on May 17, 2016 at 10:00 o'clock in the a.m. thereof, or as soon thereafter as counsel may be heard, why a preliminary injunction should not be issued pursuant to Rule 65 of the Federal Rules of Civil

Procedure enjoining Respondents as follows:

- A. Directing Respondents to arbitrate their claims, if at all, before JAMS or the AAA in New York, in accordance with the provisions of the Petitioner's Employment Dispute Resolution Program ("EDRP");
- B. Barring Respondents from litigating their claims relating to deferred compensation and employee promissory notes in any other court or forum;

C. Awarding Petitioner such other and further relief as the Court may deem just and proper.

~~It is FURTHER ORDERED that security in the amount of \$ _____ shall be posted by the Petitioner prior to _____, 2016 at _____ o'clock in the _____ m. thereof.~~

It is FURTHER ORDERED that service of this Order to Show Cause, together with the papers on which it was granted, shall be deemed good and sufficient service if made by personal

/ delivery, facsimile or email on Respondents or their counsel on or before 5⁰⁰ p.m. on May
/ 16, 2016. *Opposition papers are to be served and filed by May 16, 2016, at 12:00 noon.*

SO ORDERED

Paul J. Cardepne
UNITED STATES DISTRICT JUDGE *pm*
Judge Paul G. Cardepne

Dated: New York, New York
/ May 9, 2016